

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	Chapter 13
	:	
Gilbert Frank Walter	:	No. 5:18-bk-02825-JJT
d/b/a Slate Belt Lock and Safe	:	
d/b/a Affordable and	:	
Luann Walter,	:	
Debtors	:	

**OBJECTION OF LAFAYETTE AMBASSADOR BANK TO  
CONFIRMATION OF CHAPTER 13 PLAN**

Movant, Lafayette Ambassador Bank (“Lafayette”), by and through its attorneys, Barley Snyder, hereby files its objection to the confirmation of Debtors’ Chapter 13 Plan, and in support thereof, avers as follows:

1. The Debtors filed a voluntary petition under Chapter 13 of the United States Bankruptcy Code on July 6, 2018 to Docket #5:18-bk-02825, and were granted an Order for relief thereon.
2. Fulton is the holder of a secured claim (the “Claim”) by virtue of a Note dated July 3, 2007 in the original principal amount of Two Hundred Twelve Thousand and 00/100 Dollars (\$212,000.00).
3. The Claim is secured by a first mortgage lien dated July 3, 2007 (“Mortgage”) on the Debtor’s principal residence, which is located at 436 Ridge Road, Stroudsburg, Monroe County, Pennsylvania (the “Premises”).

4. The Claim is itemized as follows:

Principal	\$251,581.12
Interest to and including 7/6/18	4,466.21
Fees and Costs	906.99
Escrow Deficiency	374.68
 Total	 \$257,329.00

5. Lafayette filed its Claim in this Chapter 13 case on August 15, 2018 with the United States Bankruptcy Court, as follows:

Total of Secured Claim	\$ 257,329.00
Total of Pre-petition arrears	\$ 11,027.69

6. The monthly mortgage payment, as per the filed Claim, is currently \$1,658.97.
7. The Debtor filed a Chapter 13 Plan (the “Plan”) and has a total base plan of \$24,375.00, exclusive of the conduit monthly mortgage payments.
8. The Debtors’ Plan currently estimates the pre-petition mortgage arrears due and owing to Lafayette at \$4,000.00.
9. The Debtors’ Plan grossly underestimated the pre-petition mortgage arrears due and owing to Lafayette.
10. In addition to Lafayette’s Claim, the Debtors’ Plan grossly underestimated the amount of claims filed by the Internal Revenue Service (the “IRS”) and the Commonwealth of Pennsylvania, Department of Revenue (the “State”).
11. The total base plan amount of \$24,375.00 proposed by the Debtors is grossly insufficient to pay the filed claims of Lafayette, the IRS, Santander Consumer, and the State.

12. The Debtors' monthly income is insufficient to pay the monthly expenses according to the Debtor's Schedules I and J, which show a shortfall of \$2,416.63 per month.

13. Debtors' Plan is infeasible in its current form and upon information and belief, Debtors are unable to propose a confirmable Chapter 13 Plan due to their current debt load, available income and existing expenses.

14. For the reasons stated above, Lafayette hereby objects to confirmation of said Plan.

WHEREFORE, the Objector, Lafayette Ambassador Bank, respectfully requests that confirmation of Debtor's Chapter 13 Plan be denied.

BARLEY SNYDER

Date: September 20, 2018

By: /s/ Joseph P. Schalk  
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